

1997 Session Report



State Representative Dow Constantine

34th District

Spring 1997



REP. DOW CONSTANTINE

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Committees:
Law & Justice,
assistant ranking minority member
Transportation Policy
and Budget
Financial Institutions
and Insurance

Dear Friends,

The Legislature adjourned on time this April 27 without the usual "special session" for unfinished business. This report provides my perspective on the successes, failures and overarching themes of the 1997 Legislative Session.

This was my very first session as your representative and, as such, a memorable experience. I was assigned to three committees: Transportation; Financial Institutions and Insurance; and Law & Justice, where I served as the assistant ranking Democrat. I was also appointed to the Statute Law Committee, which governs the drafting of laws and the publication of the official Revised Code of Washington.

Our unusually timely adjournment was due in large part to the skillful work of Governor Locke, who negotiated compromises with legislative leaders over a series of key disagreements including the biennial budget, juvenile justice improvement and tax rollbacks. Those issues, and others, are addressed in these pages. If you have questions or comments on these or other topics, please call or write me through my Olympia office. I want to hear your opinions.

With the session over my fellow citizen-legislators and I return to our homes, our jobs, and our families. Barring an emergency, the Legislature is adjourned until next January. During the interim, we will continue to work, individually and through our committees, on the issues left unresolved this year and on the new challenges arising daily.

It is a genuine honor to serve the people of the 34th District and the State of Washington. Thank you so much for this opportunity.

Sincerely,

A handwritten signature in blue ink that reads "Dow Constantine".

REP. DOW CONSTANTINE

Toll-free legislative hotline: 1-800-562-6000 • TDD (for hearing impaired): 1-800-635-9993



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Committees

Much of my time this session was spent on the work of three important House committees.

Law and Justice Committee

This committee, on which I shared leadership responsibilities, deals with matters related to defining what is or is not a crime, how serious it is, punishment levels, victims' rights, child support and custody issues. Interestingly, I am one of only three attorneys on this committee.

Juvenile Justice Reform: After years of trying to revamp our state's outmoded system of dealing with young criminals, the Legislature this year passed a landmark, bipartisan juvenile justice bill. In the final days of session, all four legislative caucuses and the governor put together a sweeping reform package which passed both houses unanimously. Strong emphasis is placed on public safety and getting to troubled kids before they become chronic criminals. HB 3900 includes:

- Automatically sending the most violent 16- and 17-year-olds to adult court. Judges would have the option of adult court in other cases.
- Simplifying the juvenile sentencing grid. Allows judges greater discretion in sentencing, including detention for teens who don't yet have long criminal histories, community service, restitution, and mandatory drug and alcohol treatment. Juvenile court judges estimate that fully 75% of teen offenders have drug or alcohol abuse problems.
- Involving parents in the court process.
- Mandating tough new sentences for the most serious and violent offenders to make the juvenile system a real deterrent to crime.

Equally important, after years of talking big but never providing the money, we placed funds in the 1997 budget to implement these critically needed, sweeping changes. I spoke out on the House floor to help save funding for "intensive parole," so that kids are not released unsupervised into the same situation that got them into trouble in the first place.

Firearms safety: A bill was introduced requiring safe storage of firearms in homes where children live or visit, and imposing criminal penalties for those who fail to do

so. The "Whitney Graves Bill," named for an 8-year-old girl who was shot and killed at the home of a 10-year-old friend, received unprecedented support from both Washington Cease Fire (pro-gun control) and the Citizens' Committee for the Right to Keep and Bear Arms (pro-gun rights) as well as leading Republican and Democratic legislators. Despite their support, the bill was killed in committee by the Republican majority. Fifteen other states, including California, have such laws.

Transportation Committee

The Transportation Committee not only develops transportation policy for the state's road and ferry systems, it develops its own budget and has its own funding source. This year's biggest controversy was over whether new transportation projects would be funded by an increase in the gas tax. A bipartisan Senate coalition sought support for a gas-tax increase, but overwhelming opposition fueled by a conservative radio talk-show station derailed that effort.

As a result, we passed a bare-bones Transportation Budget that completes projects underway but allows no new construction. Much-needed work on the dangerous Spokane Street viaduct will be further delayed.

Despite this lack of funds, I worked behind the scenes in the House while supporting Senator Heavey's efforts in the Senate, to secure funding for additional weekend service for the Fauntleroy-Vashon ferry route, to reduce congestion at Fauntleroy and on Vashon. I will continue to work for more direct service from Southworth to Downtown Seattle in order to reduce traffic and lines in Fauntleroy.

Financial Institutions Committee

As its title suggests, this committee deals with matters related to banking and insurance. Committee membership brings with it a duty to watch out for consumers in these two areas. Here are a few of the bills we dealt with in this committee.

Automated teller machine (ATM) surcharges: Through recent mergers, consumer banking in Washington is now largely controlled by four large, out-of-state banks (Seafirst, US Bank, Key Bank, and Wells Fargo). ATM owners already charge non-customers' home banks between 45 and 80 cents for each transaction. Recently, large banks which own the ATMs ended a long-standing



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agreement and began charging non-customers an additional \$1 to \$2 direct surcharge, totaling an estimated \$89 million each year in Washington from these surcharges.

Bills which would have placed a temporary moratorium on ATM surcharges faltered under pressure from the biggest banks and opposition from some Republican representatives.

Underinsured motorist protection (UIM): I worked against HB1871, which would have allowed insurance companies to require injured people to finish suing the person who caused their injury before recovering any of their paid-for UIM benefits. Under current law, when damages clearly exceed the amount of coverage of the responsible party, the injured person can make a claim against his or her UIM policy before the lawsuit is settled. This allows the injured party money to pay medical expenses, put food on the table, and take care of the kids. I led the debate against this bill during the final vote in the House, where it was defeated.

The Capital Budget — “bricks and mortar”

In addition to the operating budget, the Legislature adopts a capital budget — sort of a “bricks-and-mortar” budget — for each biennium. The capital budget covers construction and repair of schools, state office buildings, prisons, parks and other long-term investments.

I was particularly gratified that we were able to include several key elements in this budget:

- \$278 million for common school construction, to build and renovate public schools for our children.
- \$45 million for the Washington Wildlife & Recreation Program, which provides for the acquisition and development of parks, wildlife habitat, and open space.
- \$34.5 million for the popular Timber Trust Land Transfer Program, which infuses money into the public school construction fund while preserving environmentally sensitive state trust lands.
- Funding for needed construction and renovation at our colleges, including Highline and South Seattle Community Colleges, WSU and UW.
- \$6 million for local arts and heritage projects, including \$191,500 for the Birthplace of Seattle Log House Museum (thanks to the strong efforts of folks from the Southwest Seattle Historical Society.) During the

interim and next session I will be working on a new public-private effort to save Mukai Garden, a traditional Japanese garden on Vashon.



Rep. Constantine confers with Rep. Val Ogden, ranking minority member on the Capital Budget Committee

Tax cuts

Given a healthy economy and a budget surplus, the Legislature granted about \$440 million in tax relief during the 1997-99 biennium, and perhaps twice that amount in the 1999-2001 biennium. I think more of the tax relief should have gone to working families.

Property tax relief: The debate over property tax relief was one of how much and to whom. I supported a Democratic plan that would have granted a \$205 per year tax credit to homeowners. The bill that passed grants only about \$18 per year to the average homeowner, subject to a vote of the people on the November ballot.

B&O tax rollback: I supported a bill that would have provided a tax credit for small businesses equal to the lesser of \$2,520 per year or 40 percent of the taxes due for small service businesses. This bill did not pass, and small business does not benefit sufficiently from the tax rollbacks that have been passed. I voted for the compromise B&O tax rollback bill negotiated by Governor Locke.

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Education issues

Highlights on public schools

I opposed efforts this session to derail our state's school improvement effort. We are midway through a six-year process to improve public schools by insisting on high academic standards, ensuring that students be held accountable for learning, and granting more local control. For example, a recent newspaper series highlighted improvements at Chief Sealth High School. Students are required to meet increasingly tough standards set by teachers who motivate them to set and achieve high goals.

At West Seattle High School, students themselves plan ways to make their curriculum more challenging by relating classroom studies in math and science to real world experience through the new Magnuson Center for Telecommunications and Transportation, originally proposed by King County Council Member Greg Nickels.

I voted to continue funding the Readiness-to-Learn program instead of placing the money in a block grant. A block grant would have diluted funding to existing programs such as the highly-successful Vashon Connections, a mentorship program for at-risk youth.

Education is the great equalizer

I believe that for higher education to truly be the great equalizer it must be accessible and affordable to any Washingtonian with the determination to succeed. Higher education is indisputably valuable both to the state and the scholar. A well-educated workforce is the foundation of a high-wage, high-skill economy, where each dollar invested in higher education returns as much as \$10 to the economy.

Access is the first step: We are faced with a shortage of 84,000 slots for Washington residents who will be seeking a college degree through the year 2010. To address this pressing demand, the Legislature funded an additional 6,390 enrollments, including 2,190 at four-year colleges and 4,200 at community and technical colleges.

Financial aid: Financial aid is the key that unlocks the college door for many working families. We approved financial aid increases to help nearly 7,300 more working families in each of the next two years.

Advance College Tuition Program: This exciting new program offers hope to working families, many of whom earn too much to qualify for college financial aid. It lets parents of future college students pay today's prices for tomorrow's tuition.